

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-717

September 28, 1998

MID-MAINE TELECOM
Revision to Terms and Conditions
to Increase Late Payment Charge
to the Maximum Allowed and to
Authorize Exemption from
Chapter 870, Section 1(H)

ORDER OF APPROVAL

WELCH, Chairman; NUGENT, Commissioner

SUMMARY OF DECISION

By this Order, the Commission approves Mid-Maine Telecom's (MID) September 14, 1998 filing of proposed Terms and Conditions consisting of Section 2, Page 8, Revision 1, so that MID can increase its late payment charge to the maximum allowed under the provisions of Chapter 870 and MID's request for exemption from Chapter 870, Section 1(H).

DISCUSSION

On September 14, 1998, MID filed proposed Terms and Conditions to increase its late payment charge to the maximum amount allowed under Chapter 870 effective October 1, 1998, on less than 30 days notice.

Chapter 870, Section 1(H) requires that a disclosure notice be issued at least 30 days or one billing cycle before a late payment charge is increased. A disclosure notice was issued by MID with the September bills and changes were made to MID's billing program to start billing the 1.281% rate with the October bills. However, the notice incorrectly described the late payment charge as 1.1281% instead of the 1.281% current maximum rate. On September 18, 1998, MID submitted a request for exemption from the provisions of Section 1(H) so that a new notice would not be required. Because customers are aware that an increase in the late payment charge would be effective October 1 and the difference between the maximum rate and the rate described in the notice is small (.1529%), we approve the request for exemption so that MID will not be required to issue a new disclosure notice for this late payment rate increase.

Accordingly, we

O R D E R

1. That Mid-Maine Telecom's proposed Terms and Conditions filed on September 14, 1998, and consisting of Section 2, Page 8, Revision 1, is hereby approved to become effective on October 1, 1998.

2. That Mid-Maine Telecom's request for exemption from Chapter 870, Section 1(H), so that a new disclosure notice is not required, is hereby approved.

Dated at Augusta, Maine this 28th day of September, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.